FISH & NEAVE

JAMES F. HALEY, JR RICHARD M BARNES LAURENCE S. ROGERS CHARLES B. SMITH CHARLES B. SMITH
DAVID W. PLANT
ALBERT E. FEY
JOHN O. TRAMONTINE
HERBERT F. SCHWARTZ HOMAS L. GIANNETTI VINCENT N. PALLADINO LARS I. KULLESEID ROBERT J. GOLDMAN THOMAS L. SECREST DANIEL M. GANTT NORMAN H. BEAMER WILLIAM J. GILBRETH ERIC C. WOGLOM JOHN E. NATHAN ROBERT C. MORGAN KEVIN J. CULLIGAN KENNETH B. HERMAN GLENN A OUSTERHOUT EDWARD F. MULLOWNEY ROBERT R. JACKSON JESSE J. JENNER W. EDWARD BAILEY SUSAN PROGOE MARGARETA PIERRI RON E. SHULMAN DOUGLAS J. GILBERT

> FREDERICK P. FISH 1855-1930 CHARLES NEAVE 1867-1937

DENISE L. LORING

JEFFREY H. INGERMAN

DAVIDJ. LEE PATRICIA A. MARTONE 1251 AVENUE OF THE AMERICAS

NEW YORK, NY 10020

TELEPHONE: (212) 596-9000
TELEX: 14-8367
CABLE ADDRESS: FISHNEAVE
TELECOPIER: (212) 596-9090

525 UNIVERSITY AVENUE PALO ALTO, CALIFORNIA 94301 TELEPHONE: (415) 617-4000 TELECOPIER: (415) 617-4090 November 18, 1992 A PETER ADLER

THOMAS J. VETTER C. JOSEPH LAUGHON, 13

LISA E. CRISTAL DAVID C. PLACHE JANÉ A. MASSARO DUANE-DAVID HOUGH MITCHELL P. BROOX EDWARD J. DEFRANCO MARX D. ROWLAND PHILIPPE Y. RIESEN MARK D. ENGELMANN ERIC R. HUBBARD DAVID A. LOEWENSTEIN JOHN J. CASSINGHAM KELSEY I. NIX TERRENCE 1 & KEARNEY TERRENCE J.P. KEAR MARTA E. GROSS JOHN M. HINTZ JOHN R. STORELLA WILLIAM J. McCABE VICKES, VEENKER LESLIE A. MCDONELL CHRISTOPHER P. GODZIELA KRISTIN H. NEUMAN KAREN T. JUDLOWE ANDREWS, MARKS NICOLA A. PISANO DONALD K. REEDY GABRIELLE E. HIGGINS DONALD L. RHOADS BRENDAJ, PANICHI

JEREMY LACK
EVAN M. GSELL
JAMES P. BERGIN
IVOR R. ELRIFI
RONALD A. XRASNOW
GONG CHEN
JEFFREYM. HERSH
LIANNA C. KALMAR
BRADFORD L. FRIEDMAN
DEBRA A. BONTEMPO
LORETTA A. MIRAGLIA
MOREY B. WILDES
MICHELE A. FARBER
CHRISTOPHER J. HARNETT
DAVID M. O'NEILL
MARIE H. MACNICHOL
ALISON JOY ARNOLD
DAVID C. RADULESCU
WILLIAM P. DISALVATORE
ERIC N. HOOVER
LYDIA T. MCNALLY
WILLIAM F. FEYBURN
ELIZABETH SHIELDKRET
KATHRYN F. REYBURN
ELIZABETH SHIELDKRET
KAREN J. CHOI
ANNE M. BRITT
STEVEN CHERNY
ADAM T. BERNSTEIN
SARA B. GOLDSTEIN

BY FACSIMILE - CONFIRMATION BY AIR MAIL

Mr. John H. Bass Reddie & Grose 16 Theobalds Road London WC1X 8PL ENGLAND

Re: Finnish Pat. Appln. No. 893525

Your File: 30591

Our File: PM-1322 (Finland)

Dear John:

Your November 11, 1992 letter enclosing the most recent official action brought a feeling of déjà vu. The reference and rejections appear very similar to those in the corresponding European application, about which I wrote to you on November 16, 1992.

I believe the approach for Finland ought to be the same as that in the EPO. First, while the Examiner has been able to equate elements of our claims with elements of the references on an individual feature basis, the references, as you point out, actually show structures very different from the invention. Certainly the inventive concepts of the present invention -- such as the need to maximize air at the fuel element while minimizing it at the flavor bed -- are not recognized in any of the references.

For further details, I refer you to my aforementioned November 16, 1992 letter. In particular, with respect to the arguments made by the Examiner relative to heat transfer mechanisms, I refer you to the last paragraph on page 2 of my November 16 letter, where I

2026478975

FISH & NEAVE

Mr. John H. Bass

November 18, 1992

FOLIO_____

suggest an amendment recently made in the U.S. Patent and Trademark Office in PM-1322 CIP II.

Very truly yours,

JHI:bas

Jeffrey H. Ingerman

cc: James E. Schardt, Esq. [Fax - Confirmation by Mail]